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AUG 31 2006

OFFICE OF PETITIONS

In re Application of :
Chun-Yi Yang :
Application No. 10/601,958 :
Filed: June 23, 2003 :
Attorney Docket No. MXIC-P910252 :

ON PETITION

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed December 30, 2005 to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to timely file a reply within the meaning of 37 CFR 1.113 to the final Office action of August 27, 2004. The proposed reply required for consideration of a petition to revive must be a Notice of Appeal (and appeal fee required by 37 CFR 41.20(b)(2), an amendment that *prima facie* places the application in condition for allowance, a Request for Continued Examination and submission (37 CFR 1.114), or the filing of a continuing application under 37 CFR 1.53(b). See MPEP 711.03(c)(II) (A)(2). A three month extension of time pursuant to the provisions of 37 CFR 1.136(a) was obtained. As a proper and timely reply was not received, this application became abandoned on March 1, 2005 (February 27, 2005, the due date, was a Sunday). A Notice of Abandonment was mailed on October 19, 2005.

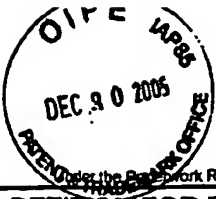
The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of a Request for Continued Examination (RCE) and fee of \$790, and the submission required by 37 CFR 1.114 (which was previously submitted); (2) the petition fee of \$1,500; and (3) a proper statement of unintentional delay. Accordingly, the reply to the final Office action of August 27, 2004 is accepted as being unintentionally delayed.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3218.

This application is being referred to Technology Center AU 2814 for processing of the RCE and for appropriate action by the Examiner in the normal course of business on the submission under 37 CFR 1.114.


Frances Hicks

Petitions Examiner
Office of Petitions



**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)
MXIC-P910252

First named inventor: Chun-Yi Yang

Application No.: 10/601,958

Filed: 06/23/2003

Art Unit: 2814

Examiner: HA, NATHAN W

Title: READ-ONLY MEMORY DEVICE CODED WITH SELECTIVELY INSULATED GATE ELECTRODES



Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
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NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

Adjustment date: 09/05/2006
01/04/2006 WABDELRI 00000094 10601958
02 FC:1461

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

- ☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
- ☒ Other than small entity - fee \$ 1500 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of Request for Continued Examination (RCE) (identify type of reply):

- ☐ has been filed previously on _____
- ☒ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ _____

- ☐ has been paid previously on _____
- ☐ is enclosed herewith.

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This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

01/04/2006 WABDELRI 00000094 10601958

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460.00 DP

01/04/2006 WABDELRI 00000094 10601958
01 FC:1453
1500.00 DP